

Attorney Docket No.: **PENN-0882**
Inventors: **Dreyfuss and Wang**
Serial No.: **10/532,203**
Filing Date: **January 9, 2006**
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REMARKS

Claims 1-8 are pending in this application. Claim 1 has been amended. No new matter has been added. Applicants are respectfully requesting reconsideration of the species election request in view of the following remarks.

In the telephonic message of April 1, 2009, the Examiner requested Applicants to orally elect a single species of neurodegenerative disease or disorder. Applicants respectfully traverse and disagree. As disclosed in paragraph [0016] of the published application, the neurodegenerative diseases or disorders of the invention have the common technical feature of low SMN protein levels. Accordingly, in an earnest effort to highlight this common feature, Applicants have amended claim 1 to clarify that the method is for treating a neurodegenerative disease or disorder with low SMN protein levels as supported by paragraph [0016] of the specification.

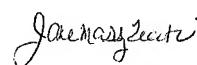
Rule 13.2 indicates that where a group of inventions is claimed in one and the same international application, the requirement of unity of invention referred to in Rule 13.1 shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. The expression "special technical features" shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art.

As Applicants pointed out in the reply dated November 17, 2008, the cited prior art, *i.e.*, Herbert et al. of record, teach the treatment of ischemic conditions. However, this reference does not teach or suggest treating a neurodegenerative disease or

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disorder with low SMN protein levels. In so far as the claims as currently presented provide a technical feature that makes a contribution over the cited prior art, it is respectfully submitted that unity of invention exists. It is therefore respectfully requested that the request for an election of a single species of neurodegenerative disease or disorder be reconsidered and withdrawn.

Respectfully submitted,



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